

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Baltimore Division

IN RE: *
*
CALPRICIA MARCH *
* Bankruptcy Case No. 14-24499
DEBTOR * Chapter 7
* * * * *
*
CALPRICIA MARCH *
*
*
PLAINTIFF * Adv. Proceeding _____
*
vs. *
*
USA DISCOUNTERS LTD *
*
and *
*
LAW OFFICES OF ROBERT S. *
PERRY *
*
DEFENDANTS *
*
* * * * * * * * * * * * * * * * * *
COMPLAINT

COMES NOW, Calpricia March, (“Plaintiff”), who files this Complaint for Return of Funds, by and through counsel, pursuant to 11 U.S.C. Section 522(g) & (h) and sues for judgment against USA Discounters Ltd & the Law Offices of Robert Perry, Esq. (“Defendants”) and alleges as follows:

1. This is a core proceeding over which this Court has jurisdiction under Title 28 U.S.C. Section 157(b).
2. The Plaintiff is a Debtor in a Chapter 7 bankruptcy proceeding (case # 14-24499) filed on September 17, 2014 in this Court.
3. Defendants garnished Debtor’s wages from MedStar Health and received a total payment of \$1,206.87. The garnishment was issued prepetition.

4. Pursuant to 11. U.S.C. Section 547, this garnishment was within ninety (90) days of the filing and is a preference avoidable by the Trustee.

5. The aforesaid garnishment was:

- a. To or for the benefit of the creditor;
- b. For or on account of an antecedent debt owed by the Debtor before such transfer was made;
- c. Made while the Debtor was insolvent;
- d. Within ninety (90) days before the date of the filing of the Petition;
- e. Enabled the creditor to receive more than they would have received if the transfer had not been made.

6. The property that is subject of the avoidable transfer was exempted by the Debtor on schedules B and C.

7. The Trustee has not attempted to avoid the transfer.

8. The property in question was not concealed by the Debtor.

WHEREFORE, Plaintiff prays for judgment against USA Discounters Ltd & the Law Offices of Robert Perry, Esq. for the sum of \$1,206.87 and for such other or further relief that this Court may deem just and proper.

Dated: Annapolis, Maryland
November 22, 2014

Respectfully submitted on behalf of Plaintiff,

/s/ Morgan W. Fisher
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